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McNell Brother's Doctor Still Suspects Fatal Beating

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NEW YORK - A doctor who treated Dennis McNell, brother of two missing men whose charges forced the resignation of CIA spy master Max Hugel, said yesterday that McNell suffered from cirrhosis and hepatitis but his death still could have been caused by a beating.

No autopsy was performed following McNell's death June 1, although the doctor requested one, and authorities now are considering seeking an exhumation order to perform a post-mortem.

Dr. Michael Plokamakis of City Hospital Center said that when he treated McNell the night of May 31 he noted that the man "had one of the most severe forms of cirrhosis I've ever seen."

The doctor said McNell's blood would not clot, that his liver wasn't producing the proteins needed to stop the hemorrhage apparently occurring in his abdomen and that he was "living on borrowed time."

McNell, 41, died June 1 while doctors were preparing him for surgery for a suspected ruptured spleen.

"We requested an autopsy and they [the medical examiner's office] rejected the case," Plokamakis said.

Dr. Elliot Gross, the city's chief medical examiner, confirmed yesterday that "the death was reported here and jurisdiction was declined."

Asked whether an autopsy should have been performed, Gross said that "is a matter under investigation."

Meanwhile, Queens District Attorney John J. Santucci, who is considering a request from Gross to exhume McNell's body from a Bridgton, Maine, cemetery, said it was unlikely the decision would be made until Monday or Tuesday.

Authorities will seek exhumation if they determine there is sufficient cause to believe McNell may have been beaten and sufficient means to prove it, he said.

"The purpose of bringing the body up would be to determine whether there might have been a criminal cause of death, such as a blow. If such comes forward, then we would

appear to have a homicide," said Santucci.

"An autopsy would . . . resolve if we have a criminal case or a natural death."

McNell became ill after returning home from jogging, and was taken to the hospital with low blood pressure and possible internal bleeding.

According to his death certificate, McNell died of natural causes.

Dennis McNell was the brother of Samuel and Thomas McNell, who have been missing since July 14 when The Washington Post printed their allegations that Hugel had joined them in an illegal stock manipulation deal in 1974.

Also reported missing is more than \$3 million in assets of two McNell-owned companies. Dennis McNell worked for his brothers' Triad Energy Corp.

Hugel denounced all the McNell accusations but nonetheless resigned as the CIA's director of clandestine services.

When asked if the existence of cirrhosis and hepatitis could have been the cause of a ruptured spleen, Gross said: "It could be explained by a number of possibilities - including trauma," such as that caused by a beating.

"If he did have alcoholism and a ruptured spleen, then that relationship would have to be studied," Gross said.

Plokamakis said the existence of the two diseases did not preclude McNell's having died due to a ruptured spleen caused by a beating. "Anything is possible. Anybody's entitled to a ruptured spleen regardless of their prior medical record," he said.

Santucci said medical experts have told him that potential success of an autopsy at this stage "depends on the state of tissue and the state of the body." A major factor in his decision would be the attitude of McNell's widow, Jean, he said.

Legal observers say courts usually look more favorably on exhumation requests supported by survivors, but they point out such permission is not needed.